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August 6, 2018

VIA HAND DELIVERY

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RE: Credit Rate Agreement between South Carolina Electric & Gas
Company and Clean Energy Collective, LLC.
Docket No. 2016 - 290 - E

Dear Ms. Boyd:

By Order No. 2016-707, dated October 18, 2016, the Public Service Commission of South Carolina ("Commission") approved the Credit Rate Agreement ("CRA") between South Carolina Electric & Gas Company ("SCE&G" or "Company") and Clean Energy Collective, LLC ("CEC"), under which CEC is authorized to develop and build community solar renewable generating facilities to be used for the purposes of SCE&G's Community Solar Distributed Energy Resource Program. By Order No. 2017-151 and 2018-57, the Commission approved the First and Second Amendments to the CRA.

By this letter, and to ensure that the administrative record in the above-referenced docket is up-to-date, SCE&G submits for filing only the Consent and Third Amendment to the CRA, which was entered into by and among SCE&G; CEC; Cypress Creek SC Community Solar, LLC ("Cypress Creek"); Nimitz Solar, LLC ("Nimitz Solar"); Curie Solar, LLC ("Curie Solar"); and Springfield Solar, LLC ("Springfield Solar") on June 11, 2018.¹

In the Consent and Third Amendment, SCE&G consents to the transfer of the Project Companies and the assignment of the rights, title, interest and obligations under the CRA from CEC to Cypress Creek. Among other things, the Consent and

¹ Nimitz Solar, Curie Solar, and Springfield Solar are hereinafter referred to as the "Project Companies."

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Third Amendment also amended the CRA to transfer the responsibility for performance of operations and maintenance of the community solar facilities from SCE&G to Cypress Creek and to provide that SCE&G will compensate Cypress Creek for such O&M performance. Importantly, the rates paid by SCE&G to customers or to the authorized community solar developer for energy produced by the community solar facilities are not affected by the Consent and Third Amendment; therefore, SCE&G does not believe approval of the Consent and Third Amendment are required.

The Consent and Third Amendment is consistent with the Commission's approval of the Community Solar DER Program in Order No. 2015-512. Accordingly, the terms of the Consent and Third Amendment are consistent with the public interest.

Due to the commercial sensitivity and proprietary nature of certain provisions of the Consent and Third Amendment, SCE&G respectfully requests that the Commission also find that the Consent and Third Amendment contains protected information and issue a protective order barring the disclosure of the Consent and Third Amendment under the Freedom of Information Act, S.C. Code Ann. §§ 30-4-10 *et seq.*, 10 S.C. Code Ann. Regs. 103-804(S)(1), or any other provision of law. Pursuant to 10 S.C. Code Ann. Regs. 103-804(S)(2), the determination of whether a document may be exempt from disclosure is within the Commission's discretion.

To this end, and in accordance with Commission Order No. 2005-226, dated May 6, 2005, in Docket No. 2005-83-A, we enclose with this letter a redacted version of the Consent and Third Amendment that protects from disclosure the sensitive, proprietary and commercially valuable information, while making available for public viewing non-protected information. We also enclose a copy of the unredacted Consent and Third Amendment in a separate, sealed envelope and respectfully request that, in the event that anyone should seek disclosure of this unredacted Consent and Third Amendment, the Commission notify SCE&G of such request and provide it with an opportunity to obtain an order from this Commission or a court of competent jurisdiction protecting the Consent and Third Amendment from disclosure.

Enclosed are the following:

- (1) A true and correct copy of the original Consent and Third Amendment in a sealed envelope marked "CONFIDENTIAL." Each page of the Consent and Third Amendment is also marked "CONFIDENTIAL."
- (2) Ten (10) copies of a redacted copy of the Consent and Third Amendment for filing and public disclosure.

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By copy of this letter, we are providing the South Carolina Office of Regulatory Staff ("ORS") with a redacted copy of the Consent and Third Amendment for its records. Additionally, SCE&G will make the original, unredacted copy of the Consent and Third Amendment available to ORS for its review.

Thank you for your assistance and consideration of this matter. If you have any questions, please do not hesitate to contact us at your convenience.

Very truly yours,



Matthew W. Gissendanner

MWG/kms
Enclosure

cc: Dawn Hipp
Jeffrey M. Nelson, Esquire
(both via hand delivery w/enclosure)